

**WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP**

GREGORY P. KERR, ESQ.

Nevada Bar No. 10383

Royi Moas, Esq.

Nevada Bar No. 10686

3773 Howard Hughes Parkway Ste. 590

Las Vegas, Nevada 89169

(702) 341-5200/Fax: (702) 341-5300

[gkerr@wrslawyers.com](mailto:gkerr@wrslawyers.com)

[rmoas@wrslawyers.com](mailto:rmoas@wrslawyers.com)

*Attorneys for Defendants Las Palmas*

*Homeowners Association and CDM Management*

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE SOUTHERN DISTRICT OF NEVADA**

DYANA A. ST. JOHN, an individual,

Plaintiff,

vs.

LAS PALMAS HOMEOWNERS  
ASSOCIATION, a Nevada nonprofit  
corporation; and CDM MANAGEMENT

Defendants.

Case No.: 2:22-cv-00928-RFB-BNW

**DEFENDANTS LAS PALMAS  
HOMEOWNERS ASSOCIATION AND  
CDM MANAGEMENT'S MOTION TO  
EXTEND TIME TO RESPOND TO  
COMPLAINT PURSUANT TO F.R.C.P.  
RULE 6(b)(1)(A)**

**[FIRST REQUEST]**

Defendants, LAS PALMAS HOMEOWNERS ASSOCIATION and CDM  
MANAGEMENT ("Defendants"), through their undersigned counsel, GREGORY P. KERR,  
ESQ., of WOLF, RIFKIN, SHAPIRO, SCHULMAN & RABKIN, LLP, hereby files  
Defendants' Motion and Order to Extend Deadline for Defendants to Response to Plaintiff's  
Complaint until July 15, 2022, and states as follows:

1. On June 9, 2022, Plaintiff, Dyana A. St. John ("Plaintiff"), filed her Complaint (ECF No. 1);
2. Plaintiff served the Complaint upon Defendants on June 10, 2022 (ECF No. 1);
3. Defendants are required to file a responsive pleading or motion to the Complaint within twenty-one (21) days of its acceptance of service thereof, i.e. July 1, 2022;
4. Defendants tendered defense of the complaint to American Family Insurance—the

1 Association's insurance provider—which is expected to appoint the law firm of QUINTAIROS,  
2 PRIETO, WOOD & BOYER, P.A., as defense counsel in the very near future. However, said firm  
3 has not yet been officially retained as of the date of this motion;

4 5. Moreover, as set forth in the supporting Declaration of Gregory P. Kerr (ECF NO.  
5 8), undersigned counsel tested positive for COVID June 25, 2022, and has been away from his  
6 office to stay home and confront COVID symptoms since the positive test. The undersigned  
7 counsel has not been able to complete work on behalf of his clients, including the Association; and

8 6. Therefore, with the Independence Day weekend, Defendants request that the Court  
9 grant them an extension to file a responsible pleading or motion to the Complaint (ECF. NO. 1)  
10 until July 15, 2022. Such extension should be more than sufficient time for insurance defense  
11 counsel to be officially appointed and to file an appropriate responsive pleading to the complaint;

12 7. Federal Rules of Civil Procedure, Rule 6(b)(1)(A) reads as follows:

13 (b) EXTENDING TIME.

14 (1) *In General*. When an act may or must be done within a  
15 specified time, the court may, for good cause, extend the time:

16 (A) with or without motion or notice if the court acts, or if a  
17 request is made, before the original time or its extension expires

18 Defendants believe that there is good cause for this court to extend their time to respond to  
19 Plaintiff's complaint based on the above and the declaration of Gregory P. Kerr.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 This is the first request for extension of time for Defendants to respond to Plaintiff's  
2 Complaint (ECF No. 1) and is being made in good faith and not for the purpose of undue delay.  
3 No additional requests for extensions are contemplated.

4 DATED this 1<sup>ST</sup> day of July, 2022.

**WOLF, RIFKIN, SHAPIRO,  
SCHULMAN & RABKIN, LLP**

6 By: /s/ Royi Moas  
7 GREGORY P. KERR, ESQ. (NSB 10383)  
8 Royi Moas (NSB 10686)  
9 3773 Howard Hughes Parkway, Suite 590  
10 Las Vegas, NV 89169  
11 (702) 341-5200/Fax: (702) 341-5300  
12 *Attorneys for Defendants Las Palmas Homeowners*  
13 *Association and CDM Management*

11 **ORDER**

12 Motion and Order to Extend Deadline for Defendants to Response to Plaintiff's  
13 Complaint until July 15, 2022, is so ORDERED AND ADJUDGED.

14  
15 DATED: 7/5/2022

16  
17   
18 UNITED STATES MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify I am an employee of Wolf, Rifkin, Shapiro, Schulman & Rabkin, LLP. that on this date, I served a copy of the foregoing **DEFENDANTS LAS PALMAS HOMEOWNERS ASSOCIATION AND CDM MANAGEMENT'S MOTION TO EXTEND TIME TO RESPOND TO COMPLAINT PURSUANT TO F.R.C.P. RULE 6(b)(1)(A)** upon the parties below via electronic service through the United States District Court for the District of Nevada's ECF system and/or U.S. Mail:

Dyana A. St. John  
1956 Las Palmas Ln., #136  
Laughlin, NV 89029  
Earthangel144@outlook.com

DATED this 1<sup>st</sup> day of July, 2022.

By: /s/ Melissa Shield  
An employee of Wolf, Rifkin, Shapiro,  
Schulman & Rabkin, LLP